



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: AUGUST 28, 2006

III. 4.
ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-06-47
1509 ORANGE AVENUE

DATE: AUGUST 17, 2006

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5136

DESCRIPTION

Design review to construct two, two-story condominium units with a variance for a third floor deck for each unit.

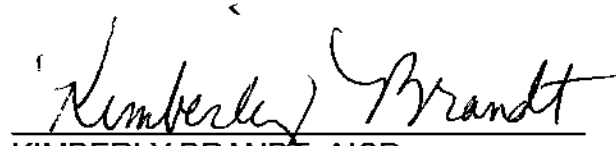
APPLICANT

Arne Valenti is the authorized agent for property owners, Scott and Valerie Vincent.

RECOMMENDATION

Approve the design review and deny the variance by adoption of Planning Commission resolution, subject to conditions.


WENDY SHIH
Associate Planner


KIMBERLY BRANDT, AICP
Principal Planner

PLANNING APPLICATION SUMMARY

Location: 1509 Orange Avenue Application: PA-06-47

Request: Design review to construct two, two-story condominium units with a variance for a third floor deck for each unit.

SUBJECT PROPERTY:

Zone: R2-MD
 General Plan: Medium Density Residential
 Lot Dimensions: Irregular – corner alley
 Lot Area: 6,120 sq.ft.
 Existing Development: Single-family residence (to be demolished).

SURROUNDING PROPERTY:

North: R2-MD – residential
 South: R2-MD – preschool
 East: R2-MD – residential
 West: C2 - commercial

DEVELOPMENT STANDARD COMPARISON

Development Standard		Required/Allowed		Proposed/Provided	
Lot Size:					
Lot Width		50 ft.		49 ft. ¹	
Lot Area		12,000 sq. ft.		6,120 sq.ft. ¹	
Density:					
Zone/General Plan		1 du/3,630 sq.ft. (Legal lot before March 1992)		1 du/3,060 sq.ft. ²	
Building Coverage:					
Buildings		N/A		49% (2,984 sq.ft.)	
Paving		N/A		11% (688 sq.ft.)	
Open Space		Minimum 40% (2,448 sq. ft.)		40% (2,448 sq.ft.)	
TOTAL				100% (6,120 sq.ft.)	
Private Open Space:		Minimum 10 ft.		Minimum 10 ft.	
Building Height:		2 stories/27 ft. (sloped roof) 22 ft. (flat roof design)		Front Unit 3 stories ³ / 25 ft.	
Ratio of 2 nd floor to 1 st floor ⁴ :		Maximum 80%		Rear Unit 3 stories ³ / 25 ft.	
				Front Unit 77% (1,167 sq.ft./ 1,510 sq.ft.)	
				Rear Unit 79% (1,170 sq.ft./ 1,474 sq.ft.)	
Setbacks:					
Front		20 ft.		20 ft.	
Side (left ⁵ /right)		5 ft./5 ft.		5 ft./5 ft.	
2 nd Floor Interior (right) Side ⁴		10 ft. average		Front Unit 10 ft. average	
Rear ⁵		5 ft.		Rear Unit 14 ft. average	
				6 ft.	
Parking:					
Covered		4		4	
Open		4		4	
TOTAL		8 Spaces		8 spaces	
CEQA Status		Exempt, Class 3			
Final Action		Planning Commission			

- 1 Existing, nonconforming.
- 2 Two units permitted because lot existed prior to March 16, 1992.
- 3 Variance requested.
- 4 Residential design guidelines.
- 5 Abutting an alley.

PROJECT DESCRIPTION

The subject property is surrounded by a preschool to the south, commercial uses to the west, and multiple-family residences to the north and east. A public alley separates the property from the preschool and the commercial uses. The applicant proposes to construct two, two-story condominium units with a variance for a third story deck (2 stories maximum allowed).

A parcel map to facilitate the condominium project will be required to be processed and recorded before construction of the units can begin. The applicant will submit a parcel map application at a later date.

ANALYSIS

Design Review

New residential common interest development projects (condominiums) are subject to a design review, which requires Planning Commission consideration. This allows review of the structures' scale, site planning, landscaping, appearance, and any other applicable features relative to a compatible and attractive development.

The exterior elevations of the proposed homes will consist of stucco finish, window trims, stone veneers, decorative lighting, precast balustrade, decorative precast, stained wood sectional garage doors, and clay roof tiles.

To minimize second story mass, the City's residential design guidelines recommend that the second floor not exceed 80% of the first floor area and the second story be set back an average of 10 feet from the interior side property line. The proposed second floor to first floor ratios are 77% for the front unit and 79% for the rear unit. The interior second floor side elevations also satisfy the design guidelines with a 10-foot average side setback for the front unit and 14-foot average side setback for the rear unit. The second floor windows are placed to minimize privacy impacts and direct views into windows on the adjacent property to the north (right). However, it is staff's opinion that the third story (rooftop) deck will have adverse privacy impacts on the neighboring properties (see discussion below).

Variance

It is staff's opinion that special circumstances applicable to the property do not exist to justify approval of the variance for a third story deck. The site is relatively flat and is rectangular in shape. Although the overall height and bulk of the proposed structures will be compatible with the surrounding area, it appears that the deck will have unobstructed views into the adjoining properties, creating adverse privacy impacts, especially to the adjacent property to the north. Although the property to the south contains a preschool, it is zoned R2-MD, and could be redeveloped with residences. It is staff's opinion that granting a variance for the third story deck would constitute a grant of special privilege inconsistent with the limitations upon other residential properties in

the vicinity, especially since third floors are not permitted in this zone and because other properties do not have three story decks.

GENERAL PLAN CONFORMITY

The property has a General Plan designation of Medium Density Residential. Under this designation two dwelling units are allowed on the subject property. Therefore, the proposal is consistent with the use and density allowed by the City's General Plan. Approval of the condominiums will also satisfy General Plan Goal LU-1A.4 that encourages additional home ownership opportunities in the City.

ALTERNATIVES

The Planning Commission may consider the following alternatives:

1. Approve the design review for two, two-story condominium units and deny the variance for a third story deck. The applicant will have to work with the Planning and Building Divisions to redesign the roof and second floor configuration to eliminate rooftop access.
2. Approve the project as proposed by the applicant and make the necessary findings for the third story variance.
3. Deny the application. The applicant could not submit substantially the same project for 6 months.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15303 for New Construction.

CONCLUSION

With exception of the variance, the proposed condominium units comply with applicable common interest development standards and design guidelines. However, it is staff's opinion that special circumstances applicable to the property do not exist to justify approval of the variance request. It appears the decks will have unobstructed views into the adjoining properties, creating privacy impacts and that approval of the variance would constitute a grant of special privilege inconsistent with the limitations upon other residential properties in the vicinity.

Attachments: Draft Planning Commission Resolution
 Exhibit "A" - Draft Findings
 Exhibit "B" - Draft Conditions of Approval
 Applicant's Project Description and Justification
 Zoning/Location Map
 Plans

cc: Deputy City Mgr.-Dev. Svs. Director
Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Scott and Valerie Vincent
1675 Tahiti Avenue
Laguna Beach, CA 92651

Arne Valenti
158 North Glassell St., Ste. 203
Orange, CA 92866

File: 082806PA0647	Date: 081506	Time: 9:30 a.m.
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RESOLUTION NO. PC-06-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING A PART OF PLANNING
APPLICATION PA-06-47**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Arne Valenti, authorized agent for the owners of the property, Scott and Valerie Vincent, with respect to the real property located at 1509 Orange Avenue, requesting approval of a design review to construct two, two-story condominium units with a variance to allow a third story deck for each unit, in the R2-MD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on August 28, 2006.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-06-47 with respect to the design review but **DENIES** the variance for the third story decks.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-06-47 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 28th day of August, 2006.

Bill Perkins, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Kimberly Brandt, acting secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on August 28, 2006, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Acting Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
- The proposed development and use is compatible and harmonious with uses on surrounding properties.
 - Safety and compatibility of the design of the building and other site features, including functional aspects of the site development, have been considered.
 - The project is consistent with the General Plan designation of Medium Density Residential. Under this designation two dwelling units are allowed on the subject property and two dwelling units are proposed. Approval of the condominiums will also satisfy General Plan Goal LU-1A.4 that encourages additional home ownership opportunities in the City.
 - The planning application is for a project-specific case and does not establish a precedent for future development.
 - The cumulative effects of all planning applications have been considered.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(14) in that the proposed development is substantially compatible and harmonious with existing and/or anticipated development on surrounding properties. This includes site planning, landscaping, appearances, scale of structures, location of windows, and any other applicable features relative to a compatible and attractive development. Specifically, the project is consistent with the City's General Plan and Zoning Code, and the City's Residential Design Guidelines. The project is of a character and scale compatible with the neighborhood. The buildings incorporate multiple building planes and offsets, and elevations with stepping forms both horizontally and vertically to provide architectural interest. The second story windows are also placed so as to minimize privacy impacts and direct views into windows on adjacent residences to the north. Approval of the condominium units will also provide additional home ownership opportunities in the City.
- C. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29 (g)(1) because special circumstances applicable to the property do not exist to justify approval of the variance from the maximum number of stories allowed. Specifically, the property is relatively flat, is rectangular shaped, and both third story decks will have negative privacy and visual impacts on the adjoining properties. Both third story decks will have unobstructed views into neighboring residential and residentially zoned properties. Approval of the variance will constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.
- D. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures, and has been found to be exempt from CEQA under Section 15303 for New Construction.
- E. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng.
1. The approved address of individual units (A and B) shall be blueprinted on the site plan and on all floor plans in the working drawings as part of the plan check submittal package.
 2. Prior to issuance of building permits, applicant shall contact the US Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
 3. The subject property's ultimate finished grade level may not be filled/raised in excess of 30" above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable onsite stormwater flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
 4. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
 5. The site plan submitted with initial working drawings shall contain a notation specifying the project is a 2-unit, common interest (condominium) development.
 6. The applicant shall contact Comcast (cable television) at 200 Paularino, Costa Mesa, (888.255.5789) prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
 7. Show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). Ground-mounted equipment shall not be located in any landscaped setback visible from the street, except when required by applicable uniform codes, and shall be screened from view, under the direction of Planning staff.
 8. Homeowners Association CC&Rs shall include a requirement that residents park in garages.
 9. The CC&Rs shall include a provision mandating binding arbitration in the event of any dispute between the two property owners relating to the homeowner's association.
 10. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
 11. The conditions of approval, code requirements, and special district requirements of Planning Application PA-06-47 shall be blueprinted on the face of the site plan as part of the plan check submittal package.

12. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the release of utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
13. Grading, materials delivery, equipment operation, and other construction-related activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and 8 a.m. to 6 p.m. Saturday. Construction is prohibited on Sundays and federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
- Eng. 14. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.
- Trans 15. Remove landscaping on the west side of the alley and repave full 20 ft. width alley to allow adequate back out/turning radius for the two driveway open parking spaces for the rear unit.
16. Reconstruct drive approach at the neighboring property (1513 Orange Avenue) to comply with minimum 10 ft. width.
17. Provide a clear and unobstructed sidewalk on-site for pedestrian access from Orange Avenue leading to entrance of new rear unit for visitors, deliveries, trash service, and emergency response.

To: CITY OF COSTA MESA PLANNING DEPT.

From: Scott & Valerie Vincent
1675 Tahiti Avenue
Laguna Beach, California

RE: Request for Variance for stairway for access to flat roof at 1509 Orange Avenue.

We are requesting a variance to allow for a stairway for roof access at 1509 Orange Avenue. The FAU access will be from the roof into the attic. The flat roof areas are set back from the front property line (Orange Avenue) a distance of 33'-4", from the side property line a distance of 21'-10", from the alley side property line a distance of 15'-4", And from the rear ally property line a distance of 31'-6".

The flat roof area is needed in order to stay under the maximum allowable height for the sloped roof areas. The flat roof itself is below the allowable height for flat roofs.

We feel that because of the extensive setbacks and the nature of the design of the houses that it would be appropriate to allow for roof access on this property. The property is located adjacent to commercial development to the rear alley and the west alley and would have no impact on either one.

We appreciate your consideration on this Matter.

Scott & Valerie Vincent

RECEIVED
CITY OF COSTA MESA
DEVELOPMENT SERVICES DEPARTMENT
JUL 28 2006

RECEIVED
CITY OF COSTA MESA
DEVELOPMENT SERVICES DEPARTMENT
JUL 27 2006

ZONING/LOCATION MAP

1509 Orange Avenue

42534141

OLD NEWPORT BLVD

PALMER ST

ORANGE AV

E 16TH ST

R2-MD

Legend

Selected Features



Street Names

Parcel Lines

City Boundary

Zoning

AP

C1

C1-S

C2

CL

1&R

1&R-S

MG

MP

P

PDC

PDI

PDR-MD

PDR-LO

PDR-MD

PDR-NCM

R1

R2-HD

R2-MD

R3

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Parcels

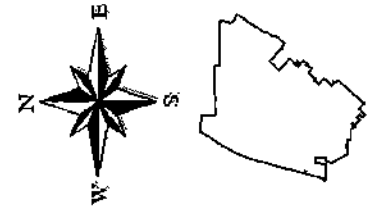


Powered by GeoSmart.net

1509 Orange Avenue

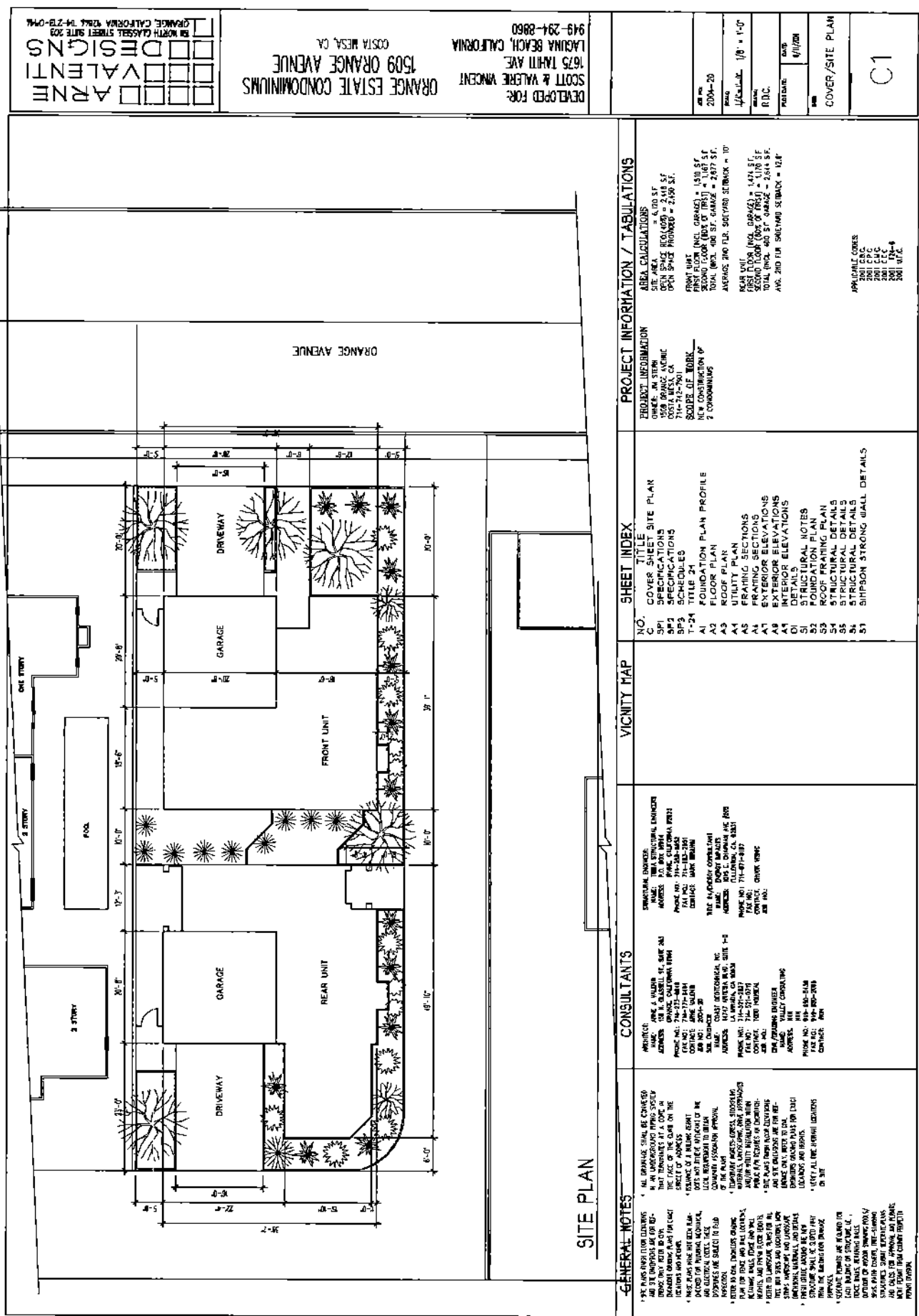
Legend

- ☐ Selected Features
- Street Names
- Parcel Lines
- City Boundary
- Ortho Photography
- Parcels



Powered by GeoSmart.net

PA-06-47



ORANGE ESTATE CONDOMINIUMS
 1509 ORANGE AVENUE
 COSTA MESA, CA
 949-294-8860
 DEVELOPED FOR
 SCOTT & VALERIE VANCE
 1675 TAVITT AVE.
 LAGUNA BEACH, CALIFORNIA
 949-294-8860

ARENE VALENTI DESIGNS
 10 NORTH GILBERT STREET SUITE 203
 ORANGE, CALIFORNIA 92667-1478

COVER/SITE PLAN
 C1

DATE
 6/1/2004

SCALE
 1/8" = 1'-0"

PROJECT INFORMATION / TABULATIONS

NO.	TITLE	SHEET INDEX	VICINITY MAP	CONSULTANTS	GENERAL NOTES
C	COVER SHEET SITE PLAN				
SP1	SPECIFICATIONS				
SP2	SCHEDULES				
SP3	SCHEDULES				
T-24	TITLE 24				
A1	FOUNDATION PLAN PROFILE				
A2	FLOOR PLAN				
A3	UTILITY PLAN				
A4	FRAMING SECTIONS				
A5	FRAMING SECTIONS				
A6	EXTERIOR ELEVATIONS				
A7	EXTERIOR ELEVATIONS				
A8	EXTERIOR ELEVATIONS				
A9	EXTERIOR ELEVATIONS				
D1	DETAILS				
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DA-06-47

DEVELOPED FOR: SCOTT & VALERIE VINCENT 1675 TAHITI AVE LAGUNA BEACH, CALIFORNIA 949-294-8850		ORANGE ESTATE CONDOMINIUMS 1509 ORANGE AVENUE COSTA MESA, CA		ARNE VALENTI DESIGNS 84 NORTH GAVEL STREET SUITE 203 ORANGE, CALIFORNIA 92667 PH-373-0746	
SHEET NO. 2004-26		SCALE 1/4" = 1'-0"		DATE 07/09/05	
PROJECT REC		1ST FLOOR PLAN		A1	

